

Minutes for Zoning Board of Adjustment November 29, 2007

Roll Call

Present for the hearing were Chairman Landers, Vice Chairman Donahue, Smith, and Hoffman. Aseltine arrived following the approval of minutes. Michele Braun was present as Clerk. Public present included Priscilla Marsh, Randy Chamberlin, Brenda Chamberlin, Phyllis Greenway, John Greenway, Thomas Marotta, and Bruce Baroffio.

Approval of Minutes

A motion to approve the minutes for the October 25, 2007 Hearing was made by Hoffman and seconded by Donahue. **The motion passed 4-0-0.**

The Hearing began at 7:05 pm.

Chairman Landers stated the following:

1. All meetings of the Board of Adjustment shall be open to the Public.
2. The Officers of the Board of Adjustment may administer oaths to the witnesses.
3. All witnesses will be "Interested Persons" to the appellant. "Interested Persons" are owners of property abutting that of the appellant.
4. All testimony by "Interested Persons" and materials shall be germane to any issue under appeal.
5. All Hearings shall be open to the public and the rules of evidence at such hearings shall be the same as set forth in Title 3§810.
 - a) Irrelevant, immaterial or unduly repetitious evidence shall be excluded. The rules of evidence as applied in civil cases in superior courts of this state shall be followed.
6. The Board of Adjustment shall render its decisions, which shall include "Findings of Facts".

Hearing 071129-1: Priscilla Marsh has requested a variance under Section 702 to construct a handicapped accessibility structure on the front of her home at 42 Noridge Drive closer to the street than the by-laws allow.

Chairman Landers entered the following exhibits into evidence:

Exhibit A: Letter from Ms. Marsh's neighbors, in support of her application

Phyllis Greenway spoke in support of the application, stated that it was a reasonable request.

Donahue moved to approve the variance; Aseltine seconded the motion. **The motion passed 5-0-0.**

Hearing 071129-2: Bruce and Penny Baroffio have requested Conditional Use approval under Section 606 to construct a 40'x100' steel building for use as an indoor shooting range for the Northfield Junior Rifle Team.

Smith recused himself; his firm represents the Baroffios.

Chairman Landers asked about the noise level and risk of stray bullets.

Mr. Baroffio stated that it will be quieter and safer than the site's current use as the Police Department's outdoor firing range. The backstop will meet NRA design standards, and there will always be an NRA-certified coach present. Mr. Hoffman, Mr. Landers, and members of the public asked further questions regarding safety, stray bullets, parking, restroom facilities. Mr. Bradley spoke in support of the project.

Hoffman moved to approve the request, as presented, with no conditions; Donahue seconded the motion. **The motion passed 4-0-1.**

Hearing 071129-3: Phyllis Greenway has requested Conditional Use approval under Section 702 to create an artist's studio and gallery with a professional office in the barn behind her home at 421 South Main Street.

Chairman Landers asked whether parking was sufficient. Ms. Greenway stated that there were four off-street parking spaces, as well as adjacent on-street parking. She expected a maximum of six students at any one time.

Ms. Marsh expressed concerns about the proposal in regard to the possibility of patrons parking on Noridge Drive. There is no space for public parking on Noridge Drive.

Chairman Landers expressed that the ZBA cannot address existing parking problems.

Smith moved to approve the request as presented, with the condition that Ms. Greenway's students and gallery patrons cannot park on Noridge Drive; Aseltine seconded the motion. **The motion passed 5-0-0.**

Other Business

Thomas Marotta was present, and informed the ZBA that he had taken more careful measurement of his building, and presented the new information to the ZA, upon which the ZA determined that the proposal met the criteria for an accessory dwelling unit. The members of the board agreed that this was a permitted use, and instructed the ZA to write a letter to the abutting property owners notifying them of the issuance of the permit and their ability to appeal it. They found no impediment to the administrative approval of the building permit.

Adjournment: 7:50 pm

Aseltine moved to close the Hearing, Smith seconded the motion. **The motion passed 5-0-0.**

These minutes are subject to approval at the next regular meeting; however, they are substantially correct.